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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/996,879	11/30/2001	Martin Welt	056276-5003	2760
9629	7590	02/24/2005	EXAMINER	
MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004			DASS, HARISH T	
			ART UNIT	PAPER NUMBER
			3628	

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/996,879

Applicant(s)

WELT, MARTIN

Examiner

Harish T Dass

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 11/30/01, 6/24/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Example: page 2 line 20, page 3 lines 8 & 22, page 4 line 11, page 18 line 2, etc.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 11, 22, 33 and 49 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In particular, claims 8, 13 and 20, the third line, the phrase “and/or” renders the claims indefinite because, it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d). For purpose of examination only, Examiner assumes that the claim limitation is “or”.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-13 and 28-40, are rejected under 35 U.S.C. 103(a) as being unpatentable over Hodson et al (hereinafter Hodson – PG PUB US 2002/0052806 A1) in view of Fischer (PG PUB US 2002/0010638).

Re. Claims 1 and 28, Hodson discloses an integrated shopping cart website for products and services from affiliated vendors [see entire document particularly, Abstract; Figures; page 1 paragraph (or para.) 0001 to Page 3 para. 0021; page 13-17 claims]. Applicant's specification discloses (admits) many of prior arts specially ChemConnect.com and "Envera" (page 4) and admits that "Envera" is not integrated with ChemConnect (page 4, lines 16-17; page 5, lines 2-7).

- (a) aggregating product information from each of a plurality of vendors into a common display format [Abstract; Figures 1-3, 13; page 2 para. 0016; claims 2-3];
- (b) in response to receiving identification information from an Internet-enabled computing device (buyer computer), the web site sending the computing device a graphical user interface showing a list of departments or product categories for which a buyer is authorized to make purchases (appropriate website if necessary) [Fig. 1; page 2 para. 0003, 0015; page 12 para. 0128-0130; figure 1 # 108 (client computer/buyer computer, enabling computing device)];
- (c) upon receipt of a selection of a product category or department from the computing device, the web site sending the computing device a list of vendors that have authorized products corresponding to the selected department or category [para. 0042]; and

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Hodson does not explicitly disclose (d) upon receipt of a selection of a vendor, the web site sending the computing device that vendor's list of approved products corresponding to the selected department or category. However, Fischer discloses this feature [Abstract; Figure 2; page 1 para. 0005, page 2 para. 0017, 0020] to establish a real-time connection with a vendor for the purpose of purchasing products and/or services from the vendor. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Hodson and include sending vendor list of approved products for selected user (entity of group of entities) to vendor, as disclosed by Fischer, to purchase an approved product or service.

Re. Claim 2, Hodson discloses the web site receiving the order from the computing device, wherein the order specifies a plurality of order parameters including the identity of the product and the quantity desired [page 4 para. 0044]. Hodson does not explicitly disclose the computing device receiving an order for one or more approved products. However, Fischer discloses this feature [Abstract; Figure 2; page 1 para. 0005, page 2 para. 0017-0021] to complete the order in less time. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Hodson and include receiving an order for approved product, as disclosed by Fischer, to process the order fast and efficiently.

Re. Claim 3, Hodson discloses including the step of the web site forwarding the order to the selected vendor for fulfillment [page 2 para. 0015-0016].

Re. Claim 4, Hodson discloses including the step of the web site receiving order tracking information pertaining to a tracking of shipment of the order from the vendor to the buyer [para. 0058].

Re. Claims 5-11, Hodson discloses user identifier enables the system to determine whether a user is logged onto a particular vendor's account management system [para, 0042], and Fisher further discloses log onto website, level of privacy and security [paragraphs 0003, 0026. 0042] to enable user to log onto the website for placing order. Neither Hodson nor Fischer discloses steps of providing each of a plurality of buyers with one or more Internet-enabled computing devices, and associating each of a plurality of buyers with a corresponding privilege level, including the step of the web site providing a first privilege level which allows the buyer to view the identities and descriptions of approved vendor products, a second privilege level which allows the buyer to view identities and descriptions as well as price information, providing a third privilege level which allows the buyer to view the orders and purchases of other buyers in the same product category or department, a fourth privilege level which allows the buyer to view all orders and purchases made by all buyers at a given location or facility, and a fifth privilege level which allows the buyer to view all purchases made by all buyers at all facilities of a given buyer company, and including the step of the web site providing a super-administrative privilege level which allows an administrator to implement at least one of acquisition, aggregation, analysis, and examination of data

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pertaining to a plurality of buyer or vendor transactions. However, to one skill in the art of network administration, assigning users privilege level to access certain part of network directories/software are well known in network area, where central computer (main frame computer, NT) administrator assigns who can access files and use certain tool based on log in ID. For example in Unix work stations the permission levels are rwx (r) read, (w) write and (x) execute, where these three permissions apply to three different groups, which are called owner, group and other and each one of these groups needs its access permission correctly set in order for the file to be used and accessed, if a group is allowed to see the catalogs only the rwx will be assigned 100 or 4, owner/administrator all (7) and others none (0), it will be 740 or file with permission level 777 open to every one. Similarly in windows, the login allows user to share files and access to user's directories. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosures of Hodson and Fisher ad include privilege levels to groups to permit them to access appropriate files.

Re. Claims 12-13 Neither Hodson nor Fischer explicitly discloses including the step of the web site assigning every buyer order a unique order number that includes information identifying the year, month, day, and hour that the order was placed and assigning a first incoming buyer order received during a particular year, month, day, and hour, a first sequence number, and the second incoming buyer order received during this particular year, month, day and hour, a second sequence number, wherein the first

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and second incoming buyer orders could, but need not, be from the same buyer.

However, these steps are well-known to properly manage customer's account when an order is placed online or on-phone, the supplier assigns an order number to each order and may provide specific number to business customer (account number), and date/time the order is placed. The order number is used for subsequent communication (which are serially assigned) such as: sending invoice, payment, resolve disputes, shipping and back track the purchase order in case the purchase order is not properly filed or missing an item. It would have been obvious to one of ordinary skill in the art at the time the Applicant's invention was made to modify disclosures of Hodson and Fisher and include assigning customer account number and confirmation number (purchase order number) to properly manage the shipment of purchased item(s).

Re. Claim 29, it is rejected with same rational as claim 2.

Re. Claim 30, it is rejected with same rational as claim 3.

Re. Claim 31, it is rejected with same rational as claim 4.

Re. Claim 32, it is rejected with same rational as claim 5.

Re. Claim 33, it is rejected with same rational as claim 11.

Re. Claim 34, it is rejected with same rational as claim 6.

Re. Claim 35, it is rejected with same rational as claim 7.

Re. Claim 36, it is rejected with same rational as claim 8.

Re. Claim 37, it is rejected with same rational as claim 9.

Re. Claim 38, it is rejected with same rational as claim 10.

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Re. Claim 39, it is rejected with same rational as claim 12.

Re. Claim 40, it is rejected with same rational as claim 13.

Claims 14-15, 19-27 and 41-42, 46-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hodson and Fischer as applies to claims 1-3, 5, 12, and further in view of Lucas (PGPUB US 2001/0051905).

Re. Claims 14-15 and 19-27 Neither Hodson nor Fischer explicitly discloses including the web site associating each order with a status byte indicative of whether the order is pending, cancelled, shipped full, shipped partial, back ordered, received full, received partial, refused full, or refused partial, step of the web site updating the order status byte in response to information received from at least one of vendors, buyers, couriers, and shippers, providing ordering and shipment tracking capabilities from a single integrated business-to-business website, programming the business-to-business website to automatically download information from a second website operated by or on behalf of a courier or shipping company, including the step of the business-to-business website accessing the second website, periodically and/or in response to a request, to retrieve information about a specified buyer order, including the step of the website automatically placing an order for a buyer in response to the buyer's inventory dropping below a predetermined threshold, including the step of, for each of a plurality of authorized vendor products, using an electronic inventory control system at the buyer's store or chain of stores to keep track of retail customer sales, including the step of the

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business-to-business website, on a repeated or periodic basis, comparing retail consumer sales against inventory to determine stock on hand, including the step of, in response to inventory or stock on hand dropping below a predetermined threshold, establishing a communications link between the electronic inventory control system and the business-to-business website, such that a product identifier and buyer identifier are received at the website, and including the step of, in response to the receipt of a product identifier and a buyer identifier, the website automatically placing an electronic order for the authorized product from a vendor.

However, Lucas discloses the inventory management stated above (Claims 14-15 and 19-26) [Abstract; paragraphs 0007-0019, 0026, 0029-0030, 0035, 0049-0058, 0069-0072, 0110 and 0121] to utilize web-enabled technologies to revolutionize inventory management by tracking inventory and automatically replenish the inventory when additional supplies are needed. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Hodson and Fischer and include inventory management features, as taught by Lucas, to atomize inventory management using web-enabled technologies such as Internet communication, URL and web-pages.

Re. Claim 41, it is rejected with same rational as claim 14.

Re. Claim 42, it is rejected with same rational as claim 15.

Re. Claim 46, it is rejected with same rational as claim 19.

Re. Claim 47, it is rejected with same rational as claim 20.

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Re. Claim 48, it is rejected with same rational as claim 21.

Re. Claim 49, it is rejected with same rational as claim 22.

Re. Claim 50, it is rejected with same rational as claim 23.

Re. Claim 51, it is rejected with same rational as claim 24.

Re. Claim 52, it is rejected with same rational as claim 25.

Re. Claim 53, it is rejected with same rational as claim 26.

Re. Claim 54, it is rejected with same rational as claim 27.

Claims 16-18 and 43-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hodson, Fischer and Lucas as applies to claims 1-3, 5, 12, 14-15 and further in view of Wong (US 6,115,690).

Re. Claims 16-18, neither Hodson nor Fischer or Lucas explicitly discloses electronically debiting a buyer's bank account in response to at least one of the buyer placing an order and the buyer receiving an order, electronically crediting a vendor's bank account in response to at least one of the buyer placing an order from the vendor and the vendor shipping the order to the buyer, electronically crediting a vendor's bank account in an amount corresponding to at least one of the vendor shipping a partial order, the buyer receiving a partial order and the buyer refusing a portion of a shipped order, and electronically debiting a buyer's bank account in an amount corresponding to at least one of the vendor shipping a partial order, the buyer receiving a partial order and the buyer refusing a portion of a shipped order. However, Wong discloses these features

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[abstract; C1 L1-L50; C5 L54 to C6 L6; C6 L56-L63; C14 L16-L53; C33 L15 to C34 L61; C38 L22-L29] to utilize web-enabled technologies to revolutionize inventory management by tracking inventory and automatically replenish the inventory when additional supplies are needed. It would have been obvious to one of ordinary skill in the art at the time the Applicant's invention was made to modify disclosures of Hodson, Fischer and Lucas and add electronic debiting and crediting for purchasing and returning merchandise based on the status of the purchase order and delivery, as taught by Wong, to provide improved integrated processing to automation of credit, debit and returns.

Re. Claim 43, it is rejected with same rational as claim 16.

Re. Claim 44, it is rejected with same rational as claim 17.

Re. Claim 45, it is rejected with same rational as claim 18.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 CFR ' 1.111 (c) to consider the references fully when responding to this action.

Eliason, 1987, "Online Business Computer Application", SRA, Inc. ISBN 0-574-18620-4., discloses business computer application in which a computer is used to process a particular type of business transaction and to prepare specific types of management information [only selected pages; Preface, chapter 1 (pages 1-12), chapter 4 (pages 92-123)].

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harish T Dass whose telephone number is 703-305-4694. The examiner can normally be reached on 8:00 AM to 4:50 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S Sough can be reached on 703-308-0505. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Harish T Dass
Examiner
Art Unit 3628

Harish T Dass

2/22/05